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Attorneys for Defendant/Third Party Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

FAIRBANKS INVESTORS, INC.,

Plaintiff,

vs.

UNITED STATES DEPARTMENT
OF AGRICULTURE, FARM
SERVICE AGENCY,

Defendant.

Case No. 4:05-cv-00023-RRB

**MOTION FOR STATUS AND
SCHEDULING CONFERENCE**

UNITED STATES OF AMERICA,

Third Party Plaintiff,

vs.

LYALL BRASIER *aka* LYALL R.
BRASIER, JR. *aka* LYALL
RAYMOND BRASIER, JR. and
JEANETTE BRASIER *aka*
JEANETTE E. BRASIER *aka*
JEANETTE ELAINE BRASIER,
Husband and Wife; VANDER WEELE
FARMS; and FAIRBANKS
INVESTORS, INC.,

Third Party Defendants.

NOW COMES the Defendant/Third Party Plaintiff, United States of America, Farm Service Agency, (FSA) by Assistant United States Attorney Daniel R. Cooper, Jr., and moves this court for a Status and Scheduling Conference.

On October 19, 2006, Fairbanks Investors and the United States stipulated to dismiss with prejudice all causes of action between them. The United States, as Third Party Plaintiff, has remaining its claims and causes of action against the Brasiers and Vander Weele Farms. Vander Weele Farms has been defaulted by the Clerk.¹ Thus, the Brasiers are the only remaining defendants.

¹ Docket 14.

As noted in paragraph 10 of the Counterclaim and Third Party Complaint,² the Brasiers are not personally liable for the debt. The United States seeks merely to take possession of the property and judicially foreclose upon it. A Status and Scheduling Conference would assist the parties in narrowing the issues and focusing on what remains to be done in the case. The United States respectfully requests that the court set such a conference as soon as possible, and allow the United States to attend telephonically.

RESPECTFULLY SUBMITTED on October 20, 2006.

NELSON P. COHEN
United States Attorney

s/ Daniel R. Cooper, Jr.
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² Docket 1, p. 8.

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2006,
a copy of the foregoing MOTION FOR
STATUS AND SCHEDULING CONFERENCE
was served electronically on **Barry W. Jackson** and by
U. S. Mail on:

John J. Burns

Borgeson & Burns
100 Cushman Street, Suite 311
Fairbanks, AK 99701

Vander Weele Farms

P O Box 461
Palmer, AK 99645

s/ Daniel R. Cooper, Jr.